

2024 Regular Session

HOUSE BILL NO. 362

BY REPRESENTATIVES KERNER, CHASSION, AND KNOX AND SENATOR FOIL

1 AN ACT

2 To enact R.S. 17:1944(H), relative to students with exceptionalities; to require local
3 education agencies to adopt policies relative to the provision of information to
4 parents at annual Individualized Education Program meetings; to specify that the
5 information contain information about tutorship and other issues related to certain
6 children's attainment of the age of majority; to require the state Department of
7 Education to develop the information and provide it to local education agencies; and
8 to provide for related matters.

9 Be it enacted by the Legislature of Louisiana:

10 Section 1. R.S. 17:1944(H) is hereby enacted to read as follows:

11 §1944. Local education agency; responsibilities

12 * * *

13 H.(1) Each local education agency shall adopt a policy requiring each school
14 under its jurisdiction to provide written information regarding legal procedures
15 affecting the transfer of individual rights from parent to child when the child attains
16 the age of majority, including but not limited to supported decision making, power
17 of attorney, continuing or permanent tutorship, and limited and full interdiction, to
18 parents as provided in this Subsection.

19 (2) The document shall inform parents of legal options and how each option
20 relates to such transfer of rights.

21 (3) At the child's first Individualized Education Program meeting of the
22 school year, the document shall be provided to a parent of each child who is
23 fourteen, fifteen, sixteen, or seventeen years old who participates in alternate

1 assessment pursuant to R.S. 17:24.4(F)(3) or an alternate pathway to promotion
2 pursuant to R.S. 17:24.4(H). Parents shall be provided a form by which to confirm
3 receipt of the information.

4 (4) The state Department of Education shall develop the information and
5 provide it to each local education agency for this purpose.

6 (5) For purposes of this Subsection, "parent" means a child's parent, tutor,
7 or legal guardian.

8 (6) The information provided as required by this Subsection is not intended
9 to be legal advice, which the document provided shall indicate, and the local
10 education agency shall have no liability for claims arising from the information
11 provided.

12 Section 2. If Senate Bill No. 61 of this 2024 Regular Session of the Legislature
13 becomes law, the Louisiana State Law Institute is hereby authorized and directed to change
14 "continuing or permanent" as it appears in this Act to "full or limited continuing".

15 Section 3. The provisions of this Act shall be known and cited as the "Hunter and
16 Kennedy Clanton Act".

SPEAKER OF THE HOUSE OF REPRESENTATIVES

PRESIDENT OF THE SENATE

GOVERNOR OF THE STATE OF LOUISIANA

APPROVED: _____